

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KAMALJIT THIND,) CASE NO. C07-0726-RSL
)
Petitioner,)
)
v.)
) ORDER GRANTING PETITION FOR
MICHAEL CHERTOFF, et al.,) WRIT OF HABEAS CORPUS
)
Respondents.)
_____)

The Court, having reviewed petitioner's 28 U.S.C. § 2241 petition, all papers and exhibits in support and in opposition to that petition, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Respondents' Motion to Dismiss (Dkt. #8) is DENIED;
- (3) The Petition for Writ of Habeas Corpus (Dkt. #1) is GRANTED;
- (4) The Court remands this matter to the U.S. Immigration and Customs Enforcement Field Office Director for a custody review as provided by 8 C.F.R. § 241.4(f),

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01 within 30 days. Consistent with 8 C.F.R. § 241.4(d)(1), petitioner will bear the
02 burden of proof; and

03 (5) The Clerk is directed to send copies of this Order to the parties and to Judge
04 Theiler.

05 Dated this 10th day of December, 2007.

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08 Robert S. Lasnik
09 United States District Judge
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